

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA

In Re: James Charles Whitman, Jr. SS# xxx-xx-7554)
Vivian Powell Whitman SS# xxx-xx-7280)
)
)
)
Debtor(s))

Motion and Notice
Chapter 13

No: B-10-81359 C-13D

The Standing Trustee respectfully moves the Court for an order as follows:

The Plan was confirmed on November 12, 2010

The debtor(s) ☒ own real estate with equity before allowable exemptions of approximately \$0.00

☐ own no real estate.

☒ own personal property with equity before allowable exemptions of approximately \$7,700.00

The liquidation value of the debtor(s) estate before allowance for exemptions is \$7,700.00

The IRS has filed: ☐ a. secured priority claim for _____

☐ b. unsecured priority claim for _____

☐ c. unsecured general claim for _____

☒ d. administrative claim for \$776.47 (2010 taxes)

I recommend that the claim(s) of the IRS be allowed as follows as the value to be distributed on the claim(s) is not less than would have been paid on such claim(s) in a Chapter 7 liquidation and that the total plan payment be treated as follows:

☐ a. Secured claim of _____ to be paid _____ per month with interest at ____% per annum.

☐ b. Unsecured priority claim of _____ to be paid _____ per month with ☒ no interest

☐ interest at ____% per annum.

☐ c. Unsecured general claim of _____

☒ d. Administrative priority claim of \$776.47 to be paid pro rata monthly with allowed priority claims

☒ e. The total sum required to be paid in during the life of the plan ☐ be increased to _____

☒ remain as scheduled.

☐ f. _____

Date: June 14, 2011
ltp

s/Richard M. Hutson, II
Standing Trustee

NOTICE

TAKE NOTICE THAT any interested party who has an objection to the Motion MUST FILE A WRITTEN OBJECTION on or before July 17, 2011, with the parties named on the attached Parties to be Served list and with the U.S. Bankruptcy Court at the following address:

*101 S. Edgeworth Street
Greensboro, NC 27401*

If no objections are filed within the time period, the Court will consider this motion without a hearing. If objections are timely filed, a hearing on the motion will be held on July 28, 2011, at 11:00 a.m., at the following location:

*Courtroom,
Venable Center
Dibrell Building, Suite 280
302 East Pettigrew Street
Durham, NC 27701*

Date: June 6, 2011

OFFICE OF THE CLERK
U.S. Bankruptcy Court

PARTIES TO BE SERVED

PAGE 1 OF 1

10-81359

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